



#3
DAC

Garth Whelen
50 Cramond Close SE
Calgary, Alberta
Canada T3M 1C1

United States Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: U.S. Application No. 10/509,489. International Application No.
PCT/CA02/01817

RECEIVED
MAY 26 2005
OFFICE OF PETITIONS

Dear Commissioner:

Please accept this petition for the revival of U.S. Application Number 10/509,489. The transmittal letter and national fee for the noted application were unavoidably delayed due to a lack of financial resources and a misunderstanding about the rhetoric discussing the respective time limits.

As the applicant, I misunderstood the time limit for entry into the national phase as expiring at the end of 30 months from the established date, and was thankful that I would be within the 30-month window when I would be of financial resources to proceed. I have since been informed that the time limit expires 30-months to the day of the date established.

I received the notification of abandonment by letter received April 7, 2005, have reviewed the respective regulations, and am now of financial means to petition for revival. As such, I hereby request the revival of my international application in the national phase, hitherto considered abandoned due to a combined unavoidable and unintentional delay. Please find included: \$750.00US funds for petition for revival of unavoidably delayed application. Copies of all documentation previously submitted for entry and examination in the national phase for the United States of America can be resubmitted upon request. Please advise me directly and immediately if you require anything further.

Humbly,

Garth Whelen

RECEIVED
- 1 JUN 2005
Legal Staff
International Division

05/25/2005 MWOLDGE1 00000002 10509489

01 FC:2453

750.00 OP